REMARKS

Initially, Applicant would like to thank the Examiner for the courtesy extended during the telephone interview with Applicant's representative, Thomas Ho, conducted on December 31, 2007. During the interview, the claims were discussed, along with U.S. Patent No. 6,009,413 to Webber et al. ("Webber"), Reference U ("CAT") from the Notice of References Cited mailed September 11, 2007, and Reference V ("Wineweb") from the same Notice. Various remarks were also presented with respect to the prior art rejections. No agreement was reached during the interview. The remarks submitted herewith are consistent with the issues discussed during the interview.

By this reply, claims 1, 8, 15, 22, 33, 34, 35, and 37 have been amended; and claims 2, 3, 9, 10, 16, 17, 23, 24, and 29-32 have been cancelled without prejudice or disclaimer. Accordingly, claims 1, 4-8, 11-15, 18-22, 25-28, and 33-40 remain pending in this application. No new matter has been introduced by this reply.

In the outstanding Office Action, claims 1-28 and 33-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Webber in view of Wineweb in further view of CAT. Applicant notes that there is a discrepancy between the indication of claims rejected on page 3 of the Office Action, and the listing of claims rejected on the Office Action Summary and page 2 of the Office Action.

Applicant requests withdrawal of the rejection of independent claim 1 in light of the amendments made in this reply. Claim 1 has been amended to include features recited previously in dependent claims 2 and 3, and now recites, *inter alia*, "sending a quote number from said remote dealer server system with said detailed dealer information for identifying said request; and purchasing an item with said client system,

-14-

including the steps of: sending said quote number to said manufacturer server system; sending said quote number with said manufacturer server system to said remote dealer server system via said middleware application system; completing said purchasing with said remote dealer server system; sending a confirmation number to said manufacturer server system; and sending said confirmation number with said manufacturer server system to said client system."

Webber discloses a system 10 in which users connect to a network, make requests for product/service information residing at the network database, the network computers receive data collected from merchants, put the data in usable protocol, and organize it for each user so that "all of the product/service information requested by a user is contained in one on-screen presentation." Webber, column 3, lines 33-48; and column 4, lines 1-5. Thus Webber is directed to providing users with the ability to comparison shop between different merchants. See Id. at column 3, lines 45-47; column 5, lines 10-13 and 54-56. Webber does not teach or suggest that system 10 is in any way involved with purchasing, or performing steps beyond presenting merchant information for comparison shopping purposes. As such, Webber fails to teach or suggest "sending a quote number from said remote dealer server system with said detailed dealer information for identifying said request; and purchasing an item with said client system, including the steps of: sending said quote number to said manufacturer server system; sending said quote number with said manufacturer server system to said remote dealer server system via said middleware application system; completing said purchasing with said remote dealer server system; sending a confirmation number to

-15-

said manufacturer server system; and sending said confirmation number with said manufacturer server system to said client system," as recited in independent claim 1.

In rejecting previous claims 2 and 3 (features of which were added to independent claim 1 by this reply), page 5 of the Office Action asserts that "Webber further discloses a method including sending information concerning pricing, support, servicing, and warranty . . . . Webber does not expressly disclose sending a quote number or a confirmation number. Data identifying the specific sent information is not functionally related to the sending step within the method and will not distinguish the claimed invention from the prior art in terms of patentability." However, contrary to the Office Action's assertions, Webber is deficient for much more than simply failing to disclose data identifying specific sent information. Webber is also deficient because Webber fails to teach or suggest entire steps recited in the method of claim 1. By way of non-limiting example, Webber does not teach or suggest that system 10 performs steps related to purchasing. The method in system 10 of Webber is limited to compiling information for comparison shopping, not purchasing.

Furthermore, it would not have been obvious to modify Webber to include the missing features. Such a modification would change the principle of operation of Webber, since it would require a substantial reconstruction and redesign of system 10 and the method performed by it, in order to incorporate purchasing-related capabilities, which is neither taught or suggested by Webber, and is unrelated to Webber's purpose of providing information for comparing different merchants. For at least these reasons, a *prima facie* case of obviousness has not been established. *See* M.P.E.P. 2143.01.

Neither Wineweb or CAT remedies the deficiencies of Webber, nor are they cited for such a purpose. Wineweb discloses a main website that provides web sites for wineries that are members of the main website, where members can allow persons to order wines and merchandise on-line and have those orders faxed directly to the winery. See Wineweb, page 5. According to Wineweb, "[a] winery can establish their wine shop in cyberspace with The WineWeb for less than competing services, due to the technology employed by the company." Id. at page 15. Wineweb does not teach or suggest completing purchasing with a remote dealer server system, and actually teaches against having remote dealer server systems, as evidenced by WineWeb's suggestion that wineries use the Wineweb website instead of establishing other remote sites. CAT also does not teach or suggest to purchasing-related steps.

Since Webber fails to teach or suggest all of the limitations recited in independent claim 1, there is no suggestion or motivation to modify Webber to include the missing limitations, and Wineweb and CAT fail to remedy the deficiencies of Webber, a prima facie case of obviousness has not been established for rejection claim 1. See M.P.E.P. 2143. Reconsideration and withdrawal of the rejection is respectfully requested.

Independent claims 8, 15, 22, 34, 35, and 37, while of different scope, each recite language similar to that of independent claim 1. For example, independent claim 8 (amended in this reply to include the limitations in previous claims 8 and 9) now recites, inter alia, "said remote dealer server system being configured to send a quote number with said detailed dealer information to said manufacturer server system via said middleware application system; and said client system being configured to

purchase an item by sending said quote number to said manufacturer server system, said manufacturer server system being configured to send said quote number to said remote dealer server system via said middleware application system, said remote dealer server system being configured to complete said purchase and send a confirmation number to said manufacturer server system, and said manufacturer server system being configured to send said confirmation number to said client system." Independent clam 15 (amended in this reply to include the limitations in previous claims 16 and 17) now recites, *inter alia*, "sending a quote number from said remote dealer server system with said detailed dealer information to identify the items listed on said item list; and purchasing said items with said client system, including the steps of: sending said quote number to said manufacturer server system; sending said quote number with said manufacturer server system to said remote dealer server system via said middleware application system; completing said purchasing with said remote dealer server system; sending a confirmation number to said manufacturer server system; and sending said confirmation number with said manufacturer server system to said client system." Independent claim 22 (amended in this reply to include the limitations in previous claims 23 and 24) now recites, *inter alia*, "said remote dealer server system being configured to send a quote number to identify the item listed on said list with said detailed dealer information to said manufacturer server system via said middleware application system; and said client system being configured to purchase said item listed on said item list by sending said quote number to said manufacturer server system, with said manufacturer server system being configured to send said quote number to said remote dealer server system via said middleware

application system, said remote dealer server system being configured to complete said

purchase and send a confirmation number to said manufacturer server system, said

manufacturer server system being configured to send said confirmation number to said

client system." Independent claim 34 recites, *inter alia*, "sending a quote number from

said remote dealer server system with said detailed dealer information for identifying

said request; and purchasing an item with said client system, including the steps of:

sending said quote number to said manufacturer server system; sending said quote

number with said manufacturer server system to said remote dealer server system;

completing said purchasing with said remote dealer server system; sending a

confirmation number to said client system via said manufacturer server system."

Independent claim 35 recites, *inter alia*, "sending a quote number from said remote

dealer server system with said detailed dealer information for identifying said request;

and purchasing an item with said client system, including the steps of: sending said

quote number to said manufacturer server system; sending said quote number with said

manufacturer server system to said remote dealer server system via said middleware

application system; completing said purchasing with said remote dealer server system;

sending a confirmation number with said manufacturer server system to said client

system." Independent claim 37 recites, *inter alia*, "sending a quote number from said

remote dealer server system with said detailed dealer information for identifying said

request; and purchasing an item with said client system, including the steps of: sending

said quote number to said manufacturer server system; sending said quote number with

said manufacturer server system to said remote dealer server system via said

middleware application system; and completing said purchasing with said remote dealer

server system." Thus, Webber and the web archive reference, whether taken alone or in combination, fail to render these claims *prima facie* obvious at least for the same reasons discussed above with respect to independent claim 1. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of independent claims 8, 15, 22, 34, 35, and 37, and the timely allowance thereof.

Claims 4-7, 11-14, 18-21, 25-28, 33, 36, and 38-40 each depend either directly or indirectly from one of independent claims 1, 8, 15, 22, 34, 35, and 37, and are therefore allowable for at least the same reasons stated above that independent claims 1, 8, 15, 22, 34, 35, and 37 are allowable. In addition, these dependent claims recite unique combinations that are neither taught nor suggested by the cited art, and therefore each is also separately patentable.
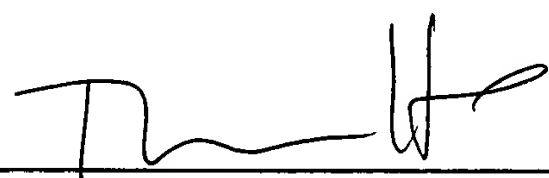
In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 10, 2008   By:_____

Thomas Y. Ho
Reg. No. 61,539